



Staff Report PC17-011-ZA

Zyntango Farms- Zoning Amendment

Docket PC17-011-ZA Zoning Amendment- Zyntango Farms- The petitioner is requesting approval for a Zoning Amendment from AG Agricultural/ R1 Residential to UB Urban Business. The subject property contains approximately 3.25 acres and is located at 5175 E 300 S, Whitestown, IN 46075. The petitioner and property owner is Bret & Shawna Reinhardt.

History

The property is currently located within the County's planning jurisdiction. The property is currently seeking approval of a super-voluntary annexation from the Town of Whitestown Town Council. The first introductory meeting for this is scheduled for April 12, 2017.

This property is currently zoned Boone County AG/R1.

The County Area Planning Commission approved the remodel of a barn on the property (Permit # 16WO-2B-181). The Barn has been renovated and reused as an Outdoor Recreational Facility. The following ancillary uses are allowed for this facility per the Commitments for Special Exception Use (petition number 14WO-7V-202):

- A) Event Venue for Weddings, Scout Meetings, Birthday Parties, and other holiday socials representative for the farm heritage of the area;
- B) Existing Primary Residence;

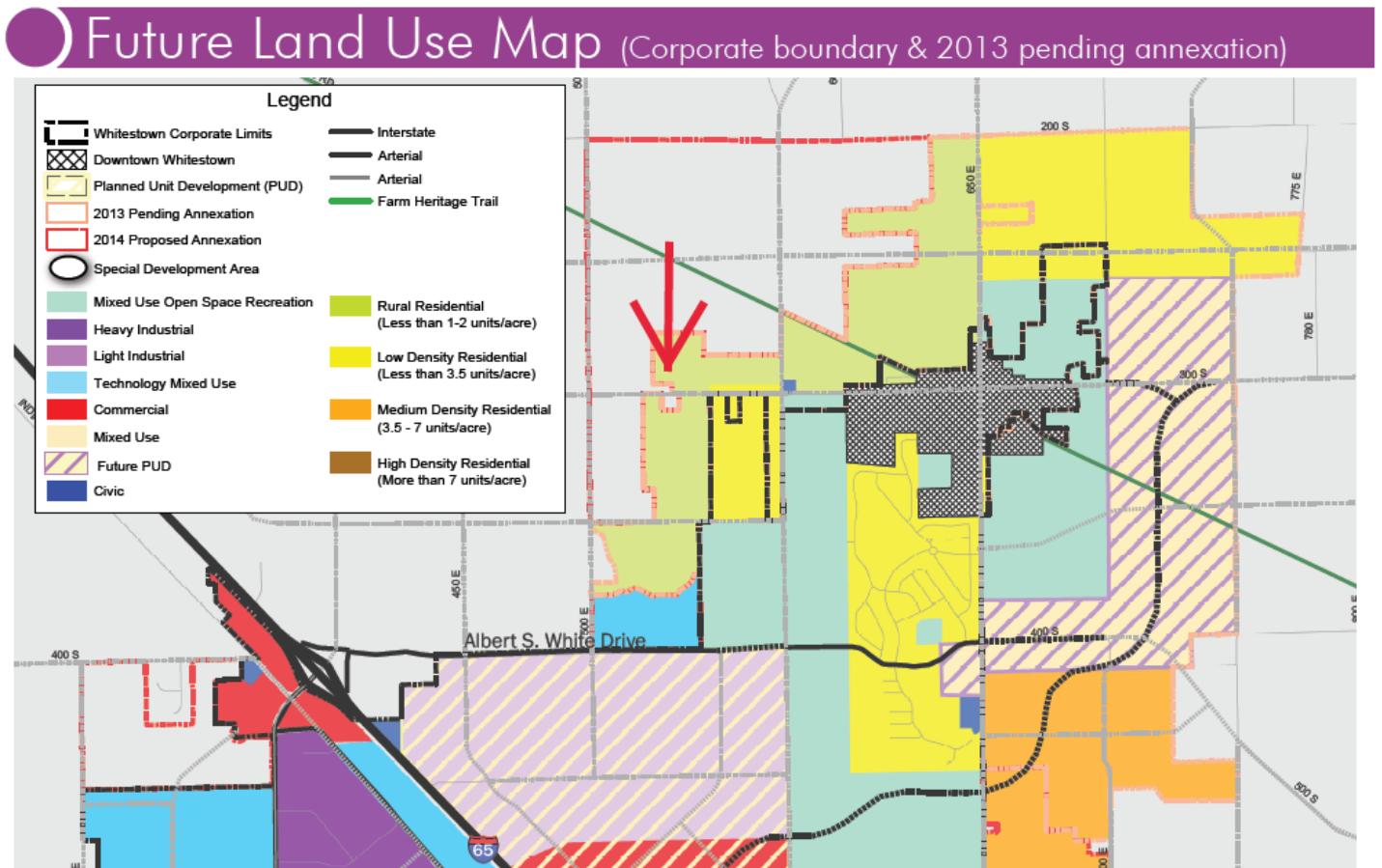
Zoning and Context

The map below shows the highlighted lot with existing zoning and surrounding zoning.

- North: The property to the north is AG/R1 under Boone County Jurisdiction
- East: The property to the east is zoned AG under Whitestown Jurisdiction
- South: The property to the south is zoned AG under Whitestown Jurisdiction
- West: The property to the west is zoned AG under Whitestown Jurisdiction

Land Use Plan

The 2015 Comprehensive Plan does not identify this property as a defined property within the Town and its future development. The surrounding property within the Town's limits are shown as Rural Residential.



Goals and Objectives

The relevant Implementation steps contained in the Goals and Objectives of the Comprehensive Plan that apply to this site are as follows:

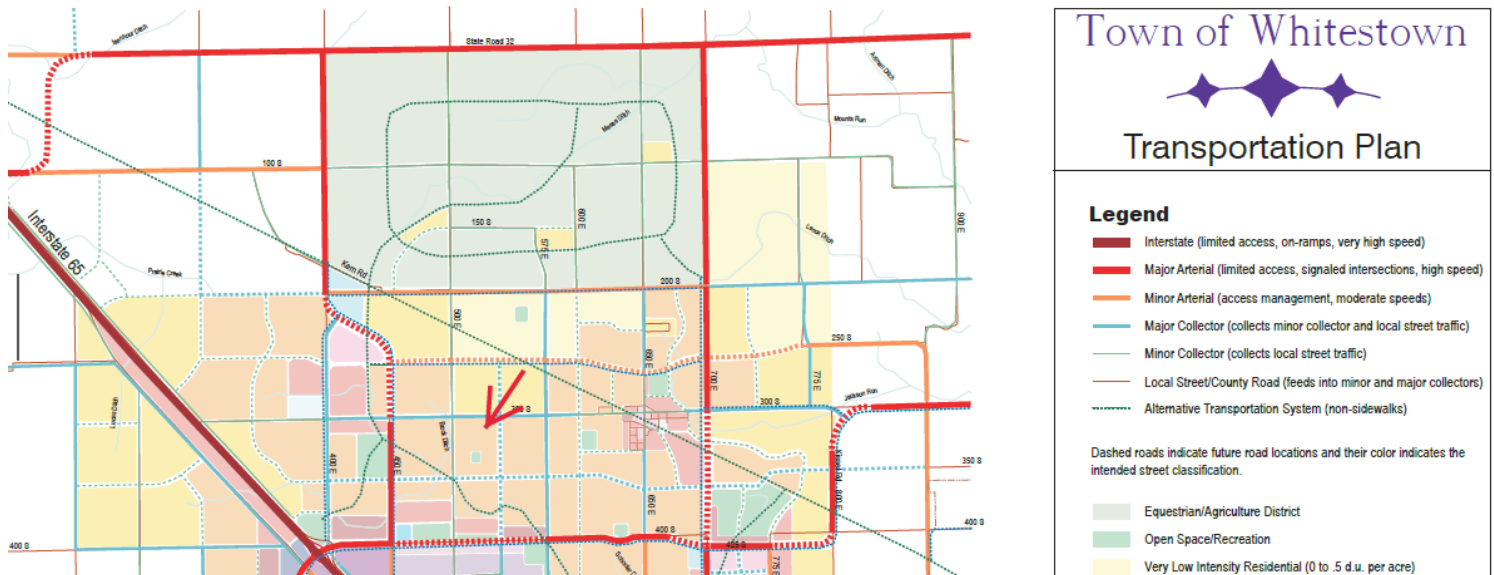
- Goal: Land Use
 - ❑ 4.2: For long term community sustainability, it is essential that Whitestown maintain the proper balance of commercial, industrial and residential uses.
 - ❑ 4.3: To help develop the community spirit and identity desired by the residents of the community, Whitestown need to grow as a collection of connected and integrated neighborhoods, not subdivisions.
 - ❑ 4.4: To grow and retain the desired local labor force the community needs to develop with amenities that serve both an urban and suburban lifestyle.
 - ❑ 4.6: Future development should be encouraged to provide a superior and creative product design and mix of uses.
 - ❑ 4.7: The community needs to grow and develop, but such activities need to be sensitive to how they relate to existing uses and agricultural areas.
 - ❑ 4.9: Future land use and density decision need to be coordinated with the needs and availability of transportation, utilities and other infrastructure facilities.

- ☐ 4.10: Larger planned unit developments are encouraged and should include flexible integration of a true mix of uses and unique design standards.
- Goal: Transportation & Circulation
 - ☐ 5.3: Continue to implement a network of community-wide paths and trail systems.
 - ☐ 5.6: Ensure accessibility and efficiency for emergency/first responder services.
- Goal: Municipal Services
 - ☐ 6.1: Provide facilities that serve all age groups and abilities.
 - ☐ 6.3: During development and redevelopment, sufficient land areas should be retained for future needs of parks, greenways, right of way, utilities, fire and police station and other public purposes and services.
 - ☐ 6.5: If utility service is approved or granted for developments outside the current corporate boundary, require a commitment to be annexed if feasible or when applicable.
- Goal: Parks, Open Space & Recreation
 - ☐ 7.4: Focus equally on maintaining existing parks and actively acquiring strategic park facilities.
 - ☐ 7.5: Strive to develop park amenities that generate revenue (user fees), community pride and regional excitement.
- Goal: Economic Development
 - ☐ 8.2: Industrial/Commercial growth is to be pursued if it supports the value, character and quality of place desired by the community.
 - ☐ 8.8: Foster relationships with higher education partners to develop technology transfer and incubator/entrepreneurial business development opportunities.
 - ☐ 8.9: Identify and develop entrepreneurial talent within the community, also known as “Economic Gardening”, through personal, peer group and community coaching by way of an entrepreneur training program.
 - ☐ 8.12: Include higher education programming and facilities to support continuing education opportunities for the attraction and retention of high quality workforce in Whitestown.

Transportation Plan

- **Road Classifications and Intersections:**

- CR 300 S, Major Collector (collects minor collector and local street traffic)
- CR 500 E, Local Street/County Road (feeds into minor and major collectors)



- **Transportation Policy Statements:** The relevant implementation steps contained in the Goals and Objectives of the Transportation Plan to that apply to this site are as follows:

- Goal: Foster Convenient Circulation

- ☐ IM 1.1: Ensure that adequate right-of-way is preserved for future road extensions, widening and drainage.
- ☐ IM 1.3: Ensure accessibility and efficiency for emergency services
- ☐ IM 1.5: Utilize and adhere to the transportation plan during development approval.
- ☐ IM 1.8: Slightly widen Pierce Street and Main Street in downtown Whitestown.
- ☐ IM 2.1: Recognize and promote the benefits of pedestrian circulation (walking, cycling, etc.)
- ☐ IM 2.2: Strive to provide an uninterrupted community wide network of paths and sidewalks.
- ☐ IM 2.3: Require pedestrian networks (sidewalks and trails) within all single-family, multiple-family, commercial and industrial developments.
- ☐ IM 2.4: Require the pedestrian networks within single-family, multiple-family, commercial and industrial development to link to adjacent developments.
- ☐ IM 2.7: Establish a circular system of pedestrian trails by utilizing natural corridors, utility corridors, on-street trails and sidewalks.
- ☐ IM 3.1: Restrict all access onto major arterials, significantly restrict access onto minor arterials and limit non-essential access onto major collectors.
- ☐ IM 3.4: Disallow entrances and driveways when proposed too close to intersections or along a street with a blind approach.

Zoning Ordinance

Existing Zoning

General Agriculture (Boone County): This district is intended to maintain the rural and scenic qualities of the existing rural areas by preserving farm land and significant open lands while allowing landowners a reasonable return on their holdings. This district is designated to (a) minimize the loss of farm lands and significant open lands to residential uses through the establishment of contiguous parcels of non-residential acres, and (b) maximize the clustering of rural residential lots on the least number of acres located on existing farmlands and significant open lands.

Development Standards AG Boone County	
Minimum lot area:	none
Minimum open space:	15%
Maximum building height:	25'

Permitted uses include:

- Church or Temple
- Civic/Social/Religious Organizations
- Elementary/Secondary Schools
- Farms
- Seasonal Farm Worker Housing
- Hay/Grain/Feed Stores
- Libraries & Information centers
- Municipal or Government Buildings
- Plant Nurseries
- Seasonal Hunting & Fishing Lodge

Proposed Zoning

GB General Business: This district is designed to include central business districts in established urban places. This district would be used for most types of business and service uses. Development in this district requires connection to public water and public sewers and Development Plan approval.

Development Standards for GB (non-residential)	
Maximum building height:	75'
Minimum side and rear setbacks:	10'
Minimum open space:	15%

Some permitted uses include: A complete list of permitted uses can be found on 2.9.b General Business Uses in the UDO.

- Candy, Nut & Confectionary
- Charitable Institutions
- Civic, Social, or Religious Organizations
- Elementary & Secondary Schools
- Farm
- Food Processing
- Fruits & Vegetables
- Plant Nursery

Proposed Development

The proposed uses and ancillary uses for this property are listed below:

Plan of Operation – Current

1. Primary Use of the Property. The current owner or subsequent owners of the Zyntango Farm at 5175 East County Road 300 South; Whitestown, IN 46075 (Parcel # 012-03640-01) shall continue the primary use of the property as a Farming Operation . The subject Farming operation will grow and sell organic produce on the property. The subject land uses, specifically, Farm and Roadside Produce Stand are determined and classified in the Boone County Zoning Ordinance, Table 2, Authorized Uses as permitted by right in the General Agricultural Zoning District.
2. Ancillary Uses on the Property. The subject Special Exception for the Outdoor Recreational Facility allows the following ancillary uses on the property:
 - A) Event Venue for Weddings, Scout Meetings, Birthday Parties, and other holiday socials representative to the farm heritage of the area);
 - B) Existing Primary Residence);
3. Off-Site Catering-All events serving food and beverage will be catered by off-site facilities. No food preparation will occur on the site which is intended to serve patrons for any of the above mentioned events
4. On-Site Parking-All patrons visiting the site will park vehicles on-site. No parking will be tolerated at any time on County Road 300 South.
5. Lighting Commitment-In the event, the need for any future lighting fixtures are necessary, the Area Plan Commission staff will review the design and size to ensure the lighting fixtures are harmonious with the design of the building, the type of land use, and the type of adjacent uses. If external spot or flood lighting is used, the light source should be shielded and restrained in such a manner so as not to illuminate or intrude on surrounding properties. Excessive brightness, flashing lights, and brilliant colors are not permitted
6. Hours of Operation- The above mentioned Ancillary Uses subsection A will cease operation no later than 11 pm on the property.
7. Illegal Non-Conforming Uses- In the event, any illegal non-conforming uses occur in the future on the property, upon review and vote in a public hearing, the Boone County Board of Zoning Appeals has the right to repeal the subject Special Exception for Outdoor Recreational Facility.
8. Exceeding, Modifying or Altering Written Commitments. In the event, the current owner or subsequent owners would seek to alter, modify, or exceed any of the above mentioned written commitments, an appearance by the current owner would be required at a public hearing held by the Boone County Board of Zoning Appeals (BZA) for approval of any change to the said commitments.

Plan of Operation – Proposed (Pending Action: Re-zoning to Urban Business after Voluntary Annexation)

1. Same as listed above plus uses outlined below
2. Boone Prairie School – 3 day/week private co-school (Wednesday, Thursday, Friday 0800-1600) Labor day – Memorial Day
3. Greater Whitestown Chamber of Commerce – Offices for 2-3 people.
4. Commercial Kitchen to be used as incubator for local farmers markets (Future Plan)
5. Expanded crop production to include pumpkins and specialty gourds (onsite and remote)

Staff Comments

1. The rezoning process is a legislative act. The Plan Commission will make a recommendation to the Town Council who then has the final say. Because this is a legislative act, the Plan Commission can require that certain commitments be made part of the rezoning and that run with the land.
2. Before being further developed, the project site will require planning and zoning approval and development plan approval by the Plan Commission.
3. The Plan Commission should maintain and enforce the Whitestown UDO, and related ordinances in order to achieve the goals of the Comprehensive Plan and overall Thoroughfare Plan.
4. The proposed GB zoning allows a variety of uses and specific setback, landscaping and bufferyard requirements.
5. To preserve the context of the agricultural and residential area the following uses should be prohibited as part of this rezoning:
 - Agricultural Credit Institutions; Auto License Bureaus; Automobile or Motorcycle Sales; Automobile Parts Supply; Automobile Repair, Animal Day Care Facility; Service Station; Banks & branch Banks; Billiard & pool Establishments; Boat Sales; Bowling Alleys; Coin Operated Laundry & Dry-cleaning; Commercial Testing Laboratories; Department Store; Detective Agencies & Protective Services; Diaper Service; Dinner Theater; Disinfecting & Exterminating Services; Fraternity, Sorority or Student Housing; Fuel Dealers; Group Residential Facility; Liquor Store; Lodge or Private Club; Mobile Home, Travel Trailer, Camper Sales & Service; Mortuary; Motion Picture Theater; Night Club; Parking Garage; Passenger Car Rental; Tavern; Tire, Battery & Accessory Dealers; Temporary Mobile Home; Tobacco Stores; Truck Sales, Rental, Leasing, Repair; Wholesale Business; Carry Out Restaurant;
6. The Plan Commission should ensure that the goals of the Comprehensive Plan and the Transportation Plan are met. Commitments such as the following should be contemplated:
 - a. Other land commitments from special exception approvals are also considered as part of the Whitestown Plan Commission rezoning commitments.
 - b. Upon further development of ancillary uses, the petitioner will seek appropriate planning and zoning approvals.
 - c. The rezoning request is not in place until the super-voluntary annexation is effective.

Decision Guidelines

Per the Zoning Ordinance, *Section XII.B.C* the WPC and the Town Council shall pay reasonable regard to the following five decision criteria when taking action on all rezoning requests:

- the Comprehensive Plan;
- the current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the Jurisdictional Area; and
- Responsible development and growth.

Staff Recommendation

Staff Recommends that the Plan Commission give a favorable recommendation with commitments to rezone the property from Boone County AG to GB General Business in accordance with the Whitestown Comprehensive Plan, Transportation Plan and UDO. The following commitments shall be met:

- 1) To preserve the context of the area, the following uses should be prohibited as part of this rezoning:
 - Agricultural Credit Institutions; Auto License Bureaus; Automobile or Motorcycle Sales; Automobile Parts Supply; Automobile Repair, Animal Day Care Facility; Service Station; Banks & branch Banks; Billiard & pool Establishments; Boat Sales; Bowling Alleys; Coin Operated Laundry & Dry-cleaning; Commercial Testing Laboratories; Department Store; Detective Agencies & Protective Services; Diaper Service; Dinner Theater; Disinfecting & Exterminating Services; Fraternity, Sorority or Student Housing; Fuel Dealers; Group Residential Facility; Liquor Store; Lodge or Private Club; Mobile Home, Travel Trailer, Camper Sales & Service; Mortuary; Motion Picture Theater; Night Club; Parking Garage; Passenger Car Rental; Tavern; Tire, Battery & Accessory Dealers; Temporary Mobile Home; Tobacco Stores; Truck Sales, Rental, Leasing, Repair; Wholesale Business; Carry Out Restaurant;
- 2) Other land commitments from special exception approvals are also considered as part of the Whitestown Plan Commission rezoning commitments.
- 3) Upon further development of ancillary uses, the petitioner will seek appropriate planning and zoning approvals.
- 4) The rezoning shall not be effective until the subject property has been officially annexed into the corporate limits of the Town of Whitestown.

*If the Plan Commission gives an unfavorable recommendation (or no recommendation) to rezone the property from County AG to Whitestown GB, the above conditions could still be included in the recommendation to the Town Council for their final decision.